

AMENDED IN SENATE MAY 14, 2012

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1446

Introduced by Senator Negrete McLeod

February 24, 2012

An act to amend Sections 3640 and 3640.7 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1446, as amended, Negrete McLeod. Naturopathic doctors.

Existing law, the Naturopathic Doctors Act, provides for the licensure and regulation of naturopathic doctors by the Naturopathic Medicine Committee in the Osteopathic Medical Board of California. Existing law authorizes a naturopathic doctor to perform various tasks, including dispensing, administering, ordering, and prescribing—~~specified substances, including food, extracts of food, nutraceuticals, and vitamins, amino acids, and minerals, among other substances.~~ Existing law authorizes a naturopathic doctor to furnish or order drugs when, among other requirements, the drugs are ordered or furnished under physician supervision. Existing law authorizes a naturopathic doctor to independently prescribe epinephrine and natural synthetic hormones, as specified.

This bill would *also* authorize a naturopathic doctor to ~~also~~ furnish ~~the specified substances~~ nutraceuticals, vitamins, amino acids, and minerals, among other substances, and to independently prescribe nutraceuticals, vitamins, amino acids, and minerals, among other substances, that require a prescription because they are injectable solutions administered by intramuscular or intravenous routes.

~~Existing law authorizes a naturopathic doctor to use specified routes of administration, including intramuscular and intravenous administration, of specified substances, including food, extracts of food, nutraceuticals, and vitamins. Existing law also authorizes a naturopathic doctor to independently prescribe epinephrine to treat anaphylaxis and natural synthetic hormones.~~

~~This bill would instead authorize a naturopathic doctor to independently dispense, administer, order, prescribe, or furnish those specified substances, consistent with those specified routes of administration, as well as epinephrine and natural synthetic hormones.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3640 of the Business and Professions
- 2 Code is amended to read:
- 3 3640. (a) A naturopathic doctor may order and perform
- 4 physical and laboratory examinations for diagnostic purposes,
- 5 including, but not limited to, phlebotomy, clinical laboratory tests,
- 6 speculum examinations, orificial examinations, and physiological
- 7 function tests.
- 8 (b) A naturopathic doctor may order diagnostic imaging studies,
- 9 including X-ray, ultrasound, mammogram, bone densitometry,
- 10 and others, consistent with naturopathic training as determined by
- 11 the committee, but shall refer the studies to an appropriately
- 12 licensed health care professional to conduct the study and interpret
- 13 the results.
- 14 (c) A naturopathic doctor may dispense, administer, order,
- 15 prescribe, and furnish or perform the following:
- 16 (1) Food, extracts of food, nutraceuticals, vitamins, amino acids,
- 17 minerals, enzymes, botanicals and their extracts, botanical
- 18 medicines, homeopathic medicines, all dietary supplements and
- 19 nonprescription drugs as defined by the federal Food, Drug, and
- 20 Cosmetic Act, consistent with the routes of administration
- 21 identified in subdivision (d).
- 22 (2) Hot or cold hydrotherapy; naturopathic physical medicine
- 23 inclusive of the manual use of massage, stretching, resistance, or
- 24 joint play examination but exclusive of small amplitude movement

1 at or beyond the end range of normal joint motion; electromagnetic
2 energy; colon hydrotherapy; and therapeutic exercise.

3 (3) Devices, including, but not limited to, therapeutic devices,
4 barrier contraception, and durable medical equipment.

5 (4) Health education and health counseling.

6 (5) Repair and care incidental to superficial lacerations and
7 abrasions, except suturing.

8 (6) Removal of foreign bodies located in the superficial tissues.

9 (d) A naturopathic doctor may utilize routes of administration
10 that include oral, nasal, auricular, ocular, rectal, vaginal,
11 transdermal, intradermal, subcutaneous, intravenous, and
12 intramuscular.

13 (e) The committee may establish regulations regarding ocular
14 or intravenous routes of administration that are consistent with the
15 education and training of a naturopathic doctor.

16 (f) Nothing in this section shall exempt a naturopathic doctor
17 from meeting applicable licensure requirements for the performance
18 of clinical laboratory tests, including the requirements imposed
19 under Chapter 3 (commencing with Section 1200).

20 SEC. 2. Section 3640.7 of the Business and Professions Code
21 is amended to read:

22 3640.7. Notwithstanding the requirements of Section 3640.5
23 or any other provision of this chapter, a naturopathic doctor may
24 independently ~~dispense, administer, order, prescribe, or furnish~~
25 the following:

26 (a) Epinephrine to treat anaphylaxis.

27 (b) Natural and synthetic hormones.

28 (c) Any of the substances listed in paragraph (1) of subdivision
29 (c) of Section 3640 ~~consistent with the routes of administration~~
30 ~~identified in subdivision (d) of that section~~ *that require a*
31 *prescription because they are injectable solutions administered*
32 *by intramuscular or intravenous routes.*